

PROB 12C
(7/93)

United States District Court
for
District of New Jersey
Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Richard Bergholz

Docket Number: 14-09030M-001
PACTS Number: 368759

Name of Sentencing Judicial Officer: THE HONORABLE ANTHONY R. MAUTONE
UNITED STATES MAGISTRATE JUDGE

Date of Original Sentence: 02/19/2014

Original Offense: 36 CFR 4.23(a) Driving While Intoxicated

Original Sentence: 24 months-probation

Special Conditions: Special Assessment, Fine, Reentry Center-Full-Time, Driver's License Suspension

Type of Supervision: Probation

Date Supervision Commenced:

Assistant U.S. Attorney: U.S. Attorney's Office, 970 Broad Street, 7th Floor, Newark, New Jersey 07102, (973) 645-2700

Defense Attorney: Patrick McMahon, Esq., Federal Defenders Office, 1002 Broad Street, Newark, New Jersey 07102, (973) 645-6347

PETITIONING THE COURT

- ☒ To issue a warrant
☐ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

| <u>Violation Number</u> | <u>Nature of Noncompliance</u> |
|-------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 | <p>The offender has violated the standard supervision condition which states 'You shall not commit another federal, state, or local crime.'</p> <p>On September 9, 2015, the offender was arrested and charged with driving under the influence of alcohol. The case is currently pending in Kent County Superior Court, Delaware.</p> |
| 2 | <p>The offender has violated the standard supervision condition which states 'You shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.'</p> <p>On September 9, 2015, the offender submitted to a portable breathalyzer test administered by the Delaware State Police. The reading showed a .205% blood alcohol content.</p> |

- 3 The offender has violated the standard supervision condition which states '**You shall notify the probation officer within 72 hours of being arrested or questioned by a law enforcement officer.**'

The offender failed to notify his probation officer of the arrest within 72 hours.

- 4 The offender has violated the standard supervision condition which states '**You shall not operate any motor vehicle without a valid driver's license issued by the State of New Jersey, or in the state in which you are supervised. You shall comply with all motor vehicle laws and ordinances and must report all motor vehicle infractions (including any court appearances) within 72 hours to the U.S. Probation Office.**'

On September 9, 2015, the offender was operating a vehicle by the Delaware State Police. Bergholz does not have a valid driver's license.

- 5 The offender has violated the standard supervision condition which states '**You shall notify the probation officer within 72 hours of any change of residence or employment.**'

As of October 10, 2015, the offender's residence is unknown to the probation officer. He has failed to notify a change of address to his probation officer.

I declare under penalty of perjury that the foregoing is true and correct.

Jessica M. Alberts/nm

By: Jessica M. Alberts

Date: 10/29/2015

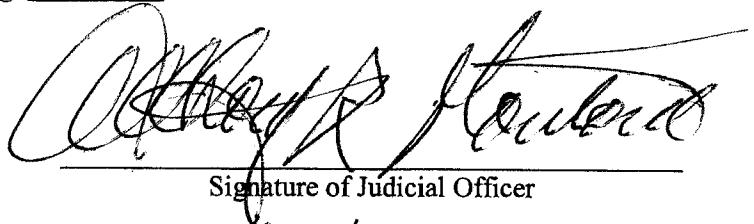
THE COURT ORDERS:

☒ The Issuance of a Warrant

☐ The Issuance of a Summons. Date of Hearing: _____

☐ No Action

☐ Other



Signature of Judicial Officer

10/29/15

Date